IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY FIFTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 19116 of 2004

Between:

Smt.Y.Sulochana W/o Venkatai
Kollamaddi Gambhiraopet Mandal
Karimnagar Distirct

..... PETITIONER

AND

1 Joint Collector, karimanagar
2 Revenue Divisional Officer, Sircilla,
3 Mandal Revenue Officer, Gambhiraopet,

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order or direction particularly one in the nature of writ of Mandamus by declaring the 2nd respondent's proceedings in No.C/1981/02, dt. 19-10-2002 as illegal, arbitrary and void and consequently direct the respondents to continue the petitioner as Fair Price shop Dealer of FP.Shop No.3521, Kollamaddi, Karimnagar district.

Counsel for the Petitioner: MR.J.SIDDAIAH

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following Order:

The petitioner claims to be the authorised dealer of the Fair Price Shop of Kollamaddi Village, Karimnagar District.

The petitioner states that on 19-10-2002, her authorisation was suspended on the ground of initiation of proceedings under Section 6-A of the Essential Commodities Act (for short 'the Act) for the alleged diversion of rice meant for 'food for work' programme. Against the said order, she preferred an Appeal before the 1st respondent – Joint Collector on 28-12-2002, but the same has not been considered so far. Though criminal proceedings were also initiated for the alleged offence, the same were stayed by virtue of the interim orders granted by this Court in Crl.P.No.5608 of 2002.

Now, this writ petition is filed contending that the respondents failed to take any further steps though her authorisation was suspended two years ago and therefore the order dated 19-10-2002 is liable to be set aside.

Having heard the learned counsel for the petitioner and the learned Government Pleader appearing for the respondents and keeping in view that the Statutory Appeal against the impugned order is pending before the 1st respondent, I am not inclined to go into the validity of the impugned order of suspension and the relief as prayed for cannot be granted. Instead, I deem it appropriate to dispose of the writ petition with a direction to the first respondent – Joint Collector, Karimnagar to

dispose of the Appeal, pending on his file, if not already disposed of, expeditiously.

In the meanwhile, it is open to the petitioner to make a representation before the 2nd respondent for restoration of her authorisation in the light of the subsequent events, in which event the same shall be considered and appropriate orders be passed as expeditiously as possible preferably within a period of four weeks from the date of receipt of her representation.

Accordingly, the writ petition is disposed of. No costs.

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25-10-2004

kdl

To

1 Joint Collector, karimanagar
2 Revenue Divisional Officer, Sircilla,
3 Mandal Revenue Officer, Gambhiraopet,

4 Two C.Cs. to the Government Pleader for Civil Supplies, High Court Buildings, A.P., Hyderabad, (OUT).

5 Two C.D. Copies.